

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ELIZABETH MARTIN, on behalf of herself :
and others similarly situated, :

Plaintiff,

V.

**ADVANCED FOOT & ANKLE CARE
CENTERS OF OHIO, LLC,**

Defendant.

: **CASE NO. 3:21-cv-93**
 :
 : **JUDGE WALTER H. RICE**
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ORDER

This case is before the Court for consideration of the Joint Motion for FLSA Settlement Approval. After reviewing the record and the Joint Motion, the Court enters the following Order:

Having reviewed the Settlement Agreement, executed by the parties, the Court find the settlement is fair, adequate and reasonable. The Court further finds that the Settlement Agreement was negotiated at arm's length and is not the result of any collusion. Indeed, the parties represent that Named Plaintiff and the Opt-In Plaintiffs (collectively the "Plaintiffs") will receive their calculated unpaid overtime, liquidated damages, and damages under Ohio's Prompt Pay Act. The Court therefore approves these payments to Plaintiffs.

The Court further approves the agreed upon payment of attorney fees in the amount of Eight Thousand Five Hundred Dollars and 00/100 (\$8,500.00) finding that this amount is less than Plaintiffs' Counsel's current fees. The Court further finds that Plaintiffs' counsel's hourly rates, to wit, \$450.00 per hour for attorney Matthew J.P. Coffman and \$300.00 per hour for

attorney Adam C. Gedling, are reasonable. The Court also approves the agreed upon payment of Four Hundred and Two Dollars and 00/100 (\$402.00) for reimbursement of litigation costs.

The Court further finds that the service fee of Two Thousand Dollars and 00/100 (\$2,000.00) to the named Plaintiff provided in the Settlement Agreement is reasonable. The Court therefore approved the requested service payment.

Finally, the Court approves the terms of the payment plan and distribution method set forth in the Settlement Agreement in the amount of Fourteen Thousand Four Hundred Fourteen Dollars and 70/100 (\$14,414.70).

THEREFORE, the request for an Order approving the FLSA settlement is **GRANTED**, settlement of the parties to the Settlement Agreement is **APPROVED**, and the terms of the parties' Settlement Agreement are hereby incorporated into this Order. The Court orders the Clerk to **DISMISS** this case **WITH PREJUDICE**. However, the Court retains jurisdiction over any disputes that may arise related to the administration of the settlement.

Consistent with the terms of the Settlement Agreement, Defendant shall tender to Plaintiffs through their counsel of record, all payments within the time periods as set forth in the Settlement Agreement.

SO ORDERED:

Date: 12-29-21



HONORABLE JUDGE WALTER H. RICE
United States District Court Judge